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12 GLAXOSMITHKLINE and McKESSON
13 CORPORATION

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 DAVID COMPTON, EARL HAUTHER,
18 THOMAS MCKINNEY,

19 Plaintiffs,

20 v.

21 SMITHKLINE BEECHAM
22 CORPORATION d/b/a
23 GLAXOSMITHKLINE and McKESSON
24 CORPORATION,

25 Defendants.

Case No. C-08-02667 TEH

**STIPULATION AND [PROPOSED]
ORDER EXTENDING DEFENDANTS'
TIME TO RESPOND TO COMPLAINT**

26 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned,
27 that the time within which defendants SMITHKLINE BEECHAM CORPORATION
28 d/b/a GLAXOSMITHKLINE ("GSK") and McKESSON CORPORATION ("McKesson")
(collectively "Defendants") may move, answer, or otherwise respond to Plaintiffs'
Complaint shall be governed by the Pretrial Orders entered in the multi-district litigation,
In re Avandia Marketing, Sales Practices and Products Liability Litigation, MDL 1871
(E.D. Pa.) before the Honorable Cynthia M. Rufe, of the United States District Court for
the Eastern District of Pennsylvania.¹

¹ The above-entitled action was tagged for transfer to MDL 1871 and awaits transfer by the Judicial Panel on Multidistrict Litigation.

Pursuant to Local Rule 6-1, stipulations which alter the date of any event or any deadline already fixed by the Court require court approval. Although the parties believe this stipulation will have no such effect, to the extent that it does, the parties request that this Court approve the proposed order below, allowing the time frame for Defendants to move, answer, or otherwise respond to Plaintiffs' Complaint to be governed by the Pretrial Orders entered in the multi-district litigation, *In re Avandia Marketing, Sales Practices and Products Liability Litigation*, MDL 1871 (E.D. Pa.).

IT IS SO STIPULATED:

Dated: June 13, 2008

DRINKER BIDDLE & REATH LLP

/s/ Krista L. Cosner

KRISTA L. COSNER

Attorneys for Defendants
SMITHKLINE BEECHAM
CORPORATION d/b/a
GLAXOSMITHKLINE and
McKESSON CORPORATION

Dated: June 13, 2008

THE MILLER FIRM, LLLC

/s/ David C. Andersen

DAVID C. ANDERSEN (Bar No. 194095)
KRISTINA M. GIGSTAD

Attorney for Plaintiffs

Pursuant to stipulation, IT IS SO ORDERED:

Dated: June __, 2008

United States District Court, Northern
District of California